6392530/2022/SEC-IV-EFS01

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – A.P. Forest Department - Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier Wildlife Management Beat, Bhairavapalem of Wild Life Management Range, Kakinada, Wild Life Management Division, Rajamahendravaram of Rajahmundry Circle - Departmental Proceedings under Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 - Articles of Charges - Issued - Regarding.

ENVIRONMENT, FORESTS, SCIENCE AND TECHNOLOGY (SEC.IV) DEPARTMENT

G.O.Rt.No.100 **Dated:16.09.2022**

Read the following:

1) Memo.No.4682/Sec.IV/A1/2018-2, EFS & T (Sec.IV) Dept., dated 14.11.2018.
2) Memo.No.4682/Sec.IV/A1/2018-3, EFS & T (Sec.IV) Dept., dated 14.11.2018.
3) From the Principal Chief Conservator of Forests & HoFF, A.P., Guntur, Lr.Ref.No.EFS02-19024/75/2018/Vig-1, dated 02.07.2022.

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O R D E R:

In continuation of the orders issued under Rule 24 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 in the reference 1st read above, it is proposed to hold an inquiry against Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier Wildlife Management Beat, Bhairavapalem of Wild Life Management Range, Kakinada, Wild Life Management Division, Rajamahendravaram of Rajahmundry Circle in accordance with the procedure laid down in Rule 20 of Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2) The substance of the imputations of misconduct or misbehavior in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). A statement of the imputations of misconduct or misbehavior in support of such Articles of Charge is enclosed (Annexure-II). A list of documents by which and a list of witnesses by whom, the Articles of Charge proposed to be sustained are also enclosed (Annexure-III and IV).

3) Sri M. Satya Sai Baba, Forest Beat Officer (contract) is directed to submit a written statement of his defence within (10) days of the receipt of this order and also inform whether he desires to heard in person before the undersigned.

4) Sri M. Satya Sai Baba, Forest Beat Officer (contract) is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should, therefore, specifically admit or deny each Articles of Charge.

5) Sri M. Satya Sai Baba, Forest Beat Officer (contract) is further informed that, if he does not submit his written statement of defence on or before the date specified in para 3 above, further action will be processed based on the material available.

6) Attention of Sri M. Satya Sai Baba, Forest Beat Officer (contract) is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964, under which no Government servant shall bring or attempt to bring

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any political or outside influence to bear upon any superior authority to further his interests in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that Sri M. Satya Sai Baba, Forest Beat Officer (contract) is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

7) The receipt of the Articles of charge should be acknowledged on the duplicate copy enclosed and the said duplicate copy be returned to the undersigned immediately.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier Wildlife Management Beat, Bhairavapalem of Wild Life Management Range, Kakinada, Wildlife Management Division, Rajamahendravaram of Rajahmundry Circle (in duplicate). (through Principal Chief Conservator of Forests & HoFF, A.P., Guntur).

Copy to:

The Principal Chief Conservator of Forests & HoFF, A.P., Guntur. (He is requested to serve the Government Orders on the Charged Officer, obtain his dated acknowledgment on the duplicate copy and submit the same to the Government immediately).
SF/SC. (Computer No.1779188)

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ANNEXURE-I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI M. SATYA SAI BABA, FOREST BEAT OFFICER (CONTRACT), EARLIER WILDLIFE MANAGEMENT BEAT, BHAIRAVAPALEM OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE.

That the said Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier worked in Wildlife Management Beat, Bhairavapalem of Wildlife Management Range, Kakinada of Wildlife Management Division, Rajamahendravaram Division from 16.11.2014 to 19.07.2019, he had committed the grave misconduct, irregularities and negligence and malicious attitude in the duties and executed the works with substandard quality and quantity of works in CBET and other works at Chollangi of Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram as mentioned in the following Articles of Charges.

ARTICLE OF CHARGE

Construction of Ropeway Bridge at Gadimoga:

"Executed the work without sanction of the estimate and submitted fabricated bills at higher rates in connivance with Sri T. Raja Babu and Forest Section officer for the works in construction of Ropeway Bridge at Gadimoga".

That, Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier Wildlife Management Beat, Bhairavapalem of Wildlife Management Range, Kakinada of Wildlife Management Division, Rajamahendravaram of Rajahmundry Circle by his above mentioned acts has exhibited lack of integrity, discipline and devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule-3 (1) of the A.P.C.S. (Conduct) Rules, 1964. **Hence the charge**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

SECTION OFFICER

ANNEXURE – II

STATEMENT OF IMPUTATIONS AND MISCONDUCT OR MISBEHAVIOR IN SUPPORT OF ARTICLES OF CHARGES FRAMED AGAINST SRI M. SATYA SAI BABA, FOREST BEAT OFFICER (CONTRACT), EARLIER WILDLIFE MANAGEMENT BEAT, BAIRAVAPALEM, WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE:

That the said Sri M. Satya Sai Baba, Forest Beat Officer (contract), earlier worked in Wildlife Management Beat, Bhairavapalem of Wildlife Management Range, Kakinada of Wildlife Management Division, Rajamahendravaram Division from 16.11.2014 to 19.07.2019, he had committed the grave misconduct, irregularities and negligence and malicious attitude in the duties and executed the works with substandard quality and quantity of works in CBET and other works at Chollangi of Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram as mentioned in the following Articles of Charges.

ARTICLE OF CHARGE:

Construction of Ropeway Bridge at Gadimoga:

"Executed the work without sanction of the estimate and submitted fabricated bills at higher rates in connivance with Sri T. Raja Babu and Forest Section officer for the works in construction of Ropeway Bridge at Gadimoga".

Basis of the charge:-

On a compliant petition made by the Grama Surpanches, MPTCs., EDC Members, MPP and ZPTCs of Tallarevu Mandal of East Godavari District through the Hon'ble Minster for Finance and upon directions issued by the Vigilance Commission of Andhra Pradesh, the Vigilance and Enforcement Department Officials have take up the detailed enquiry regarding misappropriation of Developmental funds in execution of works pertaining to Community Based Eco Tourism (CBET) in Coringa Wildlife Management Sanctuary of Wildlife Management Division, Rajahmundry. The V&E Department has taken up the enquiry along with the officials of Forest Department and the concerned Chairman and members of Eco Development committees on the following allegations.

Allegation: (construction of Ropeway Bridge at Gadimoga)

The Forest Department Officials had drawn the amount from all EDCs without doing any works and drawn an amount of Rs.5,00,000/- from the account of Sri Kanaka Durga E.D.C in December, 2015 for the work of construction of wooden bridge in Gadimoga Village of Tallerevu Mandal without execution the said work.

The following irregularities and misuse of funds are noticed in this case.

Observations:

1. The estimate for "construction of Rope Way Bridge in Gadimoga Village of Tallarevu Mandal" was sanctioned on 04.02.2017 by the DFO., Wildlife Management, Rajamahendravaram in DSO.no.100/2016. But, the Delinquent had get an amount of Rs.5,20,000/- drawn on 04.02.2016 nearly one year in advance through Sri T. Raja Babu, who is said to be contractor for the work violating the codal rules and Government instructions.

2. Construction of the Rope Way Bridge at Gadimoga (V) is for a total length of (40) meters by using the material of steel wire rope, M.S. angles, wooden planks of 1.25 x 0.20 x 0.20 Mts. size besides labour charges for fixing, welding the rope way, paints, concrete cement in foundations etc., It is noticed that the vouchers were prepared as if payments were done to the various people for different type of work. The details are tabulated in Annexure-II of V&E report.

3. The work was carried out and the vouchers were recorded in 3/15 and 4/15 and pass order was also made by the Forest Section Officer in the M. Book without any date and estimate Sanction Order no. The estimate was sanctioned on 04.02.2017 and recorded as DSO. no.100/2016 which is not correct.

4. The vouchers were recorded in M. Book from pages (1) to (21) of M.B. no.47/2015 from 02.03.2016 to 31.03.2016. As verified from the M. Book pages, the recorded measurements were not signed by Forest Beat Officer (FBO), but checked by the Forest Section Officer and pass order was also made by the FSO. The measurements were not even authenticated by the authorized person of Sri Kanaka Durga EDC., Gadimoga.

5. The quantity and unit for the cost of PVC piles (item 4) was proposed as (120) cum and vouchers were also recorded in the M. Book with the same specification and unit, which is absurd. The unit for the pipes should be in Rmt. as per the specifications.

6. The Chairman of Sri Kanaka Durga EDC, Gadimoga and the Forest Section Officer have made payment of Rs.5,20,000/- on 30-04-2016 vide cheque No.743456 of Joint A/c No.057410100081066 of Andhra Bank, Tallarevu, to Sri T.Raja Babu who reported to have executed the above work. But the expenditure is not accounted for as per the schedule docket work vouchers in Form FA-IX for the month of December-2016. Further the cheque was not deposited in the account of Sri T. Raja Babu. He cleared the above cheque on cash payment.

7. For the materials like PVC pipes and MS channels, voucher payments are to be made based on the purchase bills. But in the present case voucher payments were made without any bills. The remaining purchased materials viz., steel wire rope, MS angles are obtain from Vijaya Enterprises, Ramanayyapeta, Kakinada, wooden planks of 1.25x0.20x0.20 Mts size are obtain from Sri Durga Ravulamma Timber Depot, Jaggampeta and welding the rope way was done by Sri Lakshmi Srinivasa Engineering Works, Yeleswaram on cash bills. But the total payment of Rs.5,20,000/- was made to Sri T. Raja Babu who is the owner of Sri Lakshmi Srinivasa Engineering Works, Yeleswaram, which is not correct.

The Forest Beat Officer is basically responsible for proper protection, management and execution of works in the Beat. Whereas, the Delinquent Officer in this case had worked against the Department and caused damage to the prestige of the Department. Thus, he is collectively held responsible for tampering and fabrication of records as pointed out above with malafide intention and misappropriated the Government funds. The Charged Officer had acted as he like and failed to take proper working manner in this works and charged the Government funds without any estimation. Had the V&E Officials have not taken the inspection and not verified the works in the field, the lapses / irregularities misappropriation of funds would have not come into light. **Hence, the charge.**

Accordingly, the Charged Officer has violated the provisions of Wildlife (Protection) Act, 1972 and general duties and responsibilities of Forest Officer under Section 148 of A.P. Forest

Department Code and failed to attend the legitimate duties and responsibilities of Forest Beat officer as envisaged under Section 157 of A.P. Forest Department Code and other guidelines of A.P. State CAMPA and other G.Os and Circular instructions issued from time to time. Thus, the Charged Officer with above mentioned acts has exhibited lack of integrity, discipline, devotion to duty, impartiality and a sense of propriety and behaved in a manner which is unbecoming of a Government servant or derogatory to the prestige of Government, thereby contravened Rule-3 of the A.P.C.S (Conduct) Rules, 1964. **Hence, the Articles of charges**".

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

//FORWARDED :: BY ORDER//

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ANNEXURE – III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. SATYA SAI BABA, FOREST BEAT OFFICER (CONTRACT), WILDLIFE MANAGEMENT BEAT, BHAIRAVAPALEM OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

1. Director General (V&E) & E.O. Prl. Secretary to Govt., G.A.D (V&E) Dept., Govt. of A.P., Vigilance Report no.49 (C.no.1594/V&E/NR.1/2016), dt.10.10.2018.
2. Memo.No.4682/Sec.IV/A1/2018-2, EFS & T (SEC.IV) Dept., dated. 14.11.2018.
3. Memo.No.4682/Sec.IV/A1/2018-3, EFS & T (SEC.IV) Dept, dated 14.11.2018.
4. PCCF& HoFF, A.P., Guntur, Lr.Ref.no.EFS02-19024/75/2018/Vig-1, dated 02.12.2018.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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ANNEXURE – IV

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI M. SATYA SAI BABA, FOREST BEAT OFFICER (CONTRACT), WILDLIFE MANAGEMENT BEAT, BHAIRAVAPALEM OF WILDLIFE MANAGEMENT RANGE, KAKINADA OF WILDLIFE MANAGEMENT DIVISION, RAJAMAHENDRAVARAM OF RAJAHMUNDRY CIRCLE ARE PROPOSED TO BE SUSTAINED.

The concerned officials of the Vigilance & Enforcement department of Rajamahendravaram unit who have inspected the works in Coringa Wildlife Sanctuary of Wildlife Management Range, Kakinada of WLM Division, Rajamahendravaram.

NEERABH KUMAR PRASAD
SPECIAL CHIEF SECRETARY TO GOVERNMENT

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